

chidi eze <chidieze@yahoo.com>

Fri, Jun 20, 2008 at 2:15 PM

Reply-To: chidieze@yahoo.com

To: Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Counselor,

Thank you for your email as of today's date. First, We provided you with all we have. We cannot manufacture documents. If you did not get it, we do not have it. Second, if you cannot use the authorizations provided, we will provide another copy. In any case, if your main concern was the dating, you could have inserted a date yourself. Plaintiff's responses to Trump Towers deficiency letter will be mailed to you immediately. That must have been an oversight.

Regarding your settlement offer, while we appreciate the effort, plaintiff has rejected that offer. If that offer is improved by any amount, we will take it to plaintiff for reconsideration.

Finally, plaintiff will be unable to appear for her deposition next week. We will be filing a motion for extension immediately with the court. Once again, the depositions set for next week are off. we will move today or tomorrow for extension. Regarding your intended discovery motion, please be advised that it would be a futile effort because we have produced every responsive document in plaintiff's possession, and answered your interrogatories to the best of plaintiff's knowledge.

Thank you for your courtesies as we continue to look forward to any questions arises from this communication.

Very truly yours,

Chidi Eze.

**Deborah MartinNorcross** <dmnorcross@martinnorcross.com>

Fri, Jun 20, 2008 at 1:05 PM

To: chidieze@yahoo.com

Cc: "numoh@umohlaw.com" &lt;numoh@umohlaw.com&gt;, "Harold Derschowitz (x263)"

&lt;HDERSCHOWITZ@lskdnylaw.com&gt;

Bcc: dave.milani@plusone.com, "Buffalano, Joseph A" &lt;JBUFFALA@travelers.com&gt;

Dear Mr. Eze:

Plaintiff's discovery responses remain deficient. By way of example only: (1) The records authorizations are not usable – they are not dated, show evidence of having been altered and/or copied, and in one instance use two of your client's various names on a single page; (2) We received only a few mitigation e-mails, not nearly what should have been provided to correspond with the e-mail "sent" list, and nothing reflecting any responses she received; and (3) No documents relating to mitigation amounts were provided. As an added note, you continue to use an incorrect pay rate – plaintiff's final rate was \$10/hour, which corresponds to an annualized rate of \$20,800.00, not \$35,000.00. Her 2006 W-2 reflected earnings of \$8468.12.

In addition, we were not provided with a copy of plaintiff's response to Mr. Derschowitz' deficiency letter, although we understand one was sent. Please transmit that document to me immediately.

This persistent disregard for timeliness, completeness, and accuracy is stunning. We have afforded plaintiff every possible opportunity to meet her discovery obligations, at significant unnecessary cost to our clients, to no avail. We have no alternative but to move to compel.

In our Rule 37.3 conference on June 11, we promised to get back to you concerning settlement this week. We have talked with our clients and counsel for the Trump defendants. It is our understanding that Mr. Derschowitz has no settlement authority. Given the unnecessary costs our clients have incurred because of plaintiff's neglect as partially described above, our clients have rejected plaintiff's settlement parameters and no longer are prepared to settle for the six months' pay they previously offered. I am authorized to offer plaintiff the equivalent of four (4) months' pay, which is roughly \$6900.00, in exchange for a Confidential Settlement Agreement and General Release. This offer will remain open until 10:00 a.m. on Monday. After that, it will be decreased dollar-for-dollar for all costs incurred preparing for Plaintiff's depositions on June 24, 2008 and June 30, 2008.

Please provide a copy of plaintiff's response to Mr. Derschowitz' deficiency letter, and confirm that plaintiff will present herself for her depositions on June 24 and June 30, today.

Thank you for your attention to this correspondence.

Deborah Martin Norcross

MartinNorcross LLC  
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(609) 945-3912 Fax  
dmnorcross@martinnorcross.com

Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Mon, Jun 23, 2008 at 10:03 AM

To: chidieze@yahoo.com

Cc: "numoh@umohlaw.com" <numoh@umohlaw.com>, "Harold Derschowitz (x263)" <HDERSCHOWITZ@lskdnylaw.com>

Bcc: dave.milani@plusone.com, "Buffalano, Joseph A" <JBUFFALA@travelers.com>

Dear Mr. Eze:

It is disappointing that, after promising in our June 11th conference to produce your client for her deposition on June 24 and June 30, your office once again waited until Friday afternoon and then unilaterally cancelled that deposition.

We obviously cannot agree to Mr. Umoh's post-cancellation request to depose Plaintiff by telephone. I do not depose plaintiffs telephonically. In this particular case, the problems attendant to trying to handle the documents we need to explore, particularly if your client still has not returned to the United States, make the proposal especially inappropriate.

We have requested permission to move to compel discovery and for an order requiring her to appear for deposition. A copy of our correspondence to Judge Buchwald is attached. We also have been trying to send you a copy of this letter by facsimile, but keep getting an error message.

Deborah Martin Norcross

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